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RUEHFR/AMEMBASSY PARIS PRIORITY 0645

RUEHWL/AMEMBASSY WELLINGTON PRIORITY 0109

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C O N F I D E N T I A L SECTION 01 OF 04 PHNOM PENH 000706

SIPDIS

STATE FOR EAP/MLS, P, D

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SUBJECT: IN FAREWELL TO AMBASSADOR, SAM RAINSY HIGHLIGHTS
QUEST FOR "AUTHENTIC" DEMOCRACY

REF: A. PHNOM PENH 694

1B. PHNOM PENH 601

Classified By: CHARGE D'AFFAIRES A.I. PIPER CAMPBELL FOR REASONS 1.4 (B
, D)

11. (C) SUMMARY: An animated Sam Rainsy bade farewell to the Ambassador in a recent lunch during which Rainsy continued his single-minded crusade to taint CPP's election victory. The Ambassador praised the work of the Sam Rainsy Party (SRP) which had taken the high road in the election and had gained further strength with two additional seats in the National Assembly. While noting that the Embassy takes seriously the election rigging charges being raised by SRP, the Ambassador cautioned that he would need to see how the numbers add up to meet claims of "massive election fraud." (NOTE: The evidence presented to date shows some local fraud, but nothing like fraud on the scale claimed and apparently not enough to change a single provincial outcome. END NOTE.) Rainsy thanked the Ambassador for a statement that called on all five parties in the new National Assembly to have a meaningful role, including on committees. Rainsy claimed Human Rights Party leader Khem Sokha was solidly in the fold as a coalition partner.

12. (C) Citing the 1991 Paris Peace Agreement, Rainsy said he has the support of French President Nicolas Sarkozy's Diplomatic Advisor Jean-David Levitte to press the international community to remember the agreement's call for "authentic and periodic elections." With only modest success at home, we expect Rainsy to take his "election rigging" case on the road to Europe, the UN and Washington D.C. In the meantime, the party Secretary General has stepped down, and MPs-elect are tentative about their future as Rainsy (almost alone) threatens an SRP boycott of the National Assembly opening session. Whether a compromise with CPP on SRP's role in the National Assembly can be worked out or whether the threatened boycott will be turned into a charge SRP has "abandoned" its NA seats are questions that boil down to the mind-sets of two political personalities -- Hun Sen and Sam Rainsy. Mediation between the two is desirable but may not be possible in the immediate future. END SUMMARY.

Long Talk on Election

13. (C) Rainsy spent most of the 90-minute discussion on August 11 laying out his complaint of "massive" election fraud on a national scale, but without presenting significant evidence. The Ambassador promised to send Pol-Ec Chief to monitor the National Election Committee (NEC) hearing on SRP's six complaints. (NOTE: In the August 13 hearings, we

learned that the six cases involved about 5 individual examples of miss-issuance of the 1018 identity forms to otherwise legitimate, listed voters, and the testimony of one village chief that he wanted to issue more. Four of the cases were in Kampong Cham, the most populous province. END NOTE.) When asked about the numbers, Rainsy acknowledged this was a legitimate question but noted he had shown about 75 forged 1018 identity forms to the EU and said that we should check with the EU. He also noted that the UNDP would send an election assessment team which would evaluate whether it was "worth continuing" to provide election assistance to Cambodia. (NOTE: The UNDP indicated the assessment team would both review the past performance and be forward looking, and would seek commitments from the RGC to make further improvements before committing itself to additional election assistance. END NOTE.)

¶4. (C) Rainsy focused on two allegations of election fraud - erasures of up to 800,000 voters from the registration lists and the use of false 1018 identity forms to allow unregistered CPP supporters to vote. (NOTE: According to the NEC, 585,723 names were erased during a publicly announced period last fall, which was appealable by any voter. END NOTE.) On the false identities, Rainsy insisted these were produced on a large scale, in "assembly-line" fashion, citing one CPP commune office where he has reliable testimony this occurred on the scale of dozens. He said that the SRP was issuing a "sensitivity study" to show how the erasure of 50 opposition voters from every polling station and the increase of 10 CPP voters in each station could skew the results by 12 seats in CPP's favor. The Ambassador said that the embassy

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was always open to receiving additional evidence, but he would want to see the actual evidence that indicated fraud on such a massive scale, to get a sense of the dimension of it all. (NOTE: As of August 25, SRP claims it has amassed 180 cases of fraudulent identities used nationwide among a voter base of 8,125,529 registered voters. Embassy understands that partial evidence regarding over 100 of these cases of fraudulent ID's was submitted to the Constitutional Council. END NOTE.)

Authentic Elections

¶5. (C) Noting anecdotal information on one or two cases, including a male using the 1018 form of a female, Rainsy claimed again that SRP had enough evidence to show large-scale irregularities. Citing the 1991 Paris Agreement on Cambodia, Rainsy said that the current election violated its call for "authentic and periodic elections." This violation would force all of the Paris Agreement signatories to "open their eyes," said Rainsy. In the meantime, if Hun Sen declared that an SRP boycott was the equivalent of abandonment of National Assembly seats, it would show that Hun Sen is violating the law and that Cambodia is a "dictatorship without rule of law." Rainsy commented that CPP's trouble was that it was "greedy to an unprecedented" extent in the election. This was a moment when the international community was at a crossroads, he noted. In the meantime, without an opposition, the people who were disaffected would have no outlet and they would take to the jungles, he said. When the Ambassador noted Khem Sokha's absence at an SRP press conference, Rainsy replied that Khem Sokha went on an HRP radio show the same day to support the SRP stance. We later learned that friction between HRP's number two, Keo Remy, and Rainsy was the reason for a pause in relations but that now Rainsy and Khem Sokha are back together.

Party in Turmoil

¶6. (C) A week after the Ambassador's farewell lunch, SRP Secretary General Eng Chhay Eang announced to the press that

he was leaving his position so that he could "follow others" in SRP. The fact that he did not consult with the SRP leadership before the announcement is being touted as one more indicator of disarray in the party. Conversations with two of SRP's most senior parliamentarians and a member of his cabinet confirm that the party has had only two meetings since the election -- one of the roughly 70-member Standing Committee and one of the elected MP's -- in which Rainsy reportedly did most of the talking. In the first days after the July 27 election, Rainsy was reportedly so agitated by the results that he wanted to take to the streets in a "people power" demonstration. His advisors eventually convinced Rainsy that he would not attract large crowds, that the international community was not convinced the elections were rigged, and that CPP, by contrast, was unified and would stand up to any such action. Since then, MP Son Chhay told Pol/Ec Chief Rainsy has been "going left, going right" in disorganized fashion, with the main goal of "causing trouble for CPP" but without thinking through the party's next steps.

Rainsy has surrounded himself with a small coterie of advisors, but mainly is "doing things himself," according to Son Chhay, who was appointed spokesman after the election but "chose to say nothing" as the only safe course, so as not to contradict the unpredictable Rainsy's many public pronouncements.

Some Seeking a Dialogue with CPP...

¶7. (C) Son Chhay indicated there is general agreement within SRP that the election climate, while improved over past elections and certainly less violent, was still "dirty" and an agreed upon long-term goal in SRP is to use lessons learned from this election to seek reforms for the next one. However, Son Chhay indicated there was less agreement in SRP on what to do over the next month during the formation of the new government. Finally, on August 25, Rainsy approved submitting to NA President Heng Samrin a written proposal by Son Chhay for new internal rules in the National Assembly. The rules would jettison the notion that a party with a

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simple majority would control all NA appointments and apportion NA vice president slots and committee chairmanships, for example, according to a party's ranking in the election. The first vice president would be from the ruling party but second and third vice presidents would come from the second and third-ranking parties in terms of number of seats. Son Chhay indicated he wanted SRP Senator Kong Korm to negotiate the proposed rules changes as part of an SRP initiative at dialogue with CPP.

...But SRP Inner Circle not Talking

¶8. (C) Mu Sochua, the Secretary General heir apparent at SRP, told Son Chhay August 25 that, while she supports talking with CPP, Rainsy has decided to keep the pressure on the "unacceptable election cheating," to threaten a boycott of the September 24 inaugural session of the National Assembly, and to travel to Europe and the U.S. to once again highlight the story. SRP August 25 unveiled a letter to Indonesia and France (the Paris Agreement co-chairs) calling the Cambodian election a "violation" of the Paris Accords. Son Chhay said he worried that either the boycott would split SRP (and some would show up at the NA inaugural session) or that CPP would be so angered by SRP's antics that they would use the threatened boycott as a pretext for not talking, not considering proposed NA rules changes, and keeping SRP out of all NA committees.

Rainsy: "Respect the Opposition"

¶9. (C) In the August 11 farewell lunch with the Ambassador, as Rainsy noted that 25 percent of the SRP MP's are women and

that SRP is gaining a more rural base, the Ambassador closed by praising SRP for its maturity as a party and applauded the dedication Rainsy has personally shown to the cause of democratic reform in Cambodia. Rainsy thanked the Ambassador for his support, noting that at least four SRP MP's were also U.S. citizens, and others hailed from France and Australia. Rainsy again turned to the need for the international community to more strongly back the Sam Rainsy Party, pointing to the support of Nicolas Sarkozy's Diplomatic Advisor Jean-David Levitte, who had personally sent a letter to Rainsy and who advocated that "Cambodia should be more democratic." It was important for the international community to force the Hun Sen government to abide by democratic principles and to respect the opposition, Rainsy said in closing.

COMMENT

¶10. (C) The Ambassador's discussion with Sam Rainsy was warm and collegial, though Rainsy abruptly changed the subject when asked about the lost opportunity of a "coalition bonus" that would have netted some 20 more NA seats to the combined forces of SRP, HRP, FUNCINPEC and NRP. Given the reaction of SRP's newspaper these past two weeks -- which is pinning all of its hopes on the EU and the UN to act as the agreeable jury while Rainsy appeals to the court of public opinion on unsupported claims of massive vote rigging -- Rainsy appears to understand that we cannot support him without the evidence. However, while the Ambassador went into his final meeting with the understanding that Sam Rainsy was struggling with his party, it was not apparent then just how isolated the SRP inner circle has become in the post-election period or how far apart are SRP's two main strategies for dealing with the new government.

¶11. (C) Rainsy clearly still does not consult with his full party membership. In the meantime, those in the party who would like to build on the solid base they have, including by fostering a dialogue with the CPP, are left stranded by a type of short-term, fire-brand politics that only divides Cambodians. We assume this latter tactic will probably gain Rainsy more moral and financial support in the planned trip abroad, most likely with Tioulong Saumura and HRP leader Khem Sokha.

¶12. (C) However, Rainsy is testing not just Hun Sen but all of the CPP factions, which can easily unite around the fact that CPP took 58 percent of the vote, most by well-resourced,

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well-organized work at the grass roots (and not by fraud), and CPP would feel that it was well within its rights to translate its electoral mandate into domination of the National Assembly. Spokesman Khieu Khanarith signaled as much when he spoke August 24 of the government proposing a "package" at the first parliamentary session.

¶13. (C) Son Chhay's conclusion may offer the best next step forward: Hun Sen and Sam Rainsy may need an outsider to bring them together. Son Chhay has proposed the king being mediator as one solution. But at SRP, the drumbeat of uncompromising "opposition" appears to be the only tune heard among the inner circle.

CAMPBELL